

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Allegations of corruption against Sri Velamuri Sai Prasad @ Sai Prasad Reddy, Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore District – Trapped on 14.2.2007 – Sanction of Prosecution – Orders – Issued.

IRRIGATION & CAD (SER.VI-1) DEPARTMENT

G.O.Ms.No.180

Dated: 29-10-2008

Whereas Sri Velamuri Sai Prasad @ Sai Prasad Reddy, worked as Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore district from 30-6-2005 to 14-2-2007 and as such he is a public servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act No. 49 of 1988);

2. And whereas, Sri Vidavala Malyadri, S/o Venkata Narasaiah, Contractor, is a resident of Bheemavarappadu Village, Kondapuram Mandal, Nellore District;

3. And whereas, Sri Vidavala Malyadri, who is a contractor, was allotted the contract work of temporary repairs of Bangarakka Tank, Bheemavarappadu Village. Under flood damage repairs through nomination for a value of Rs. 5,00,000/- and Sri V.Malyadri entered into an agreement and completed the said work in the month of November, 2006. In this connection, he received an amount of Rs. 2,76,700/- as a part payment bill. The remaining bill amount of Rs. 2,00,000/- was to be received. Several times Sri V.Malyadri approached the Assistant Engineer, the Deputy Engineer, and the Executive Engineer, Irrigation, Kavali and requested them for final payment. On 6.2.2007 Sri V.Malyadri approached Sri V. Sai Prasad who was having the custody of the file in his office to forward the executed contract bill to office of the Pay and Accounts Officer, Nellore and enquired about the bill. Sri V. Sai Prasad replied that the said bill was with Sri Nagender, Junior Assistant, and demanded Sri V.Malyadri to pay Rs. 6,000/- for forwarding the said bill to the Pay and Accounts Officer, Nellore. Sri V.Malyadri expressed his inability to pay such huge amount . Sri V.Malyadri met Sri V. Sai Prasad and enquired about the final bill. Again on 11.2.2007 Sri V.Malyadri met Sri V. Sai Prasad and enquired about the final bill. On that Sri V. Sai Prasad reiterated his earlier demand of Rs. 6,000/-. Again Sri V.Malyadri expressed his in ability and went away. On 12.2.2007 at 8 A.M. Sri V.Malyadri approached Sri V. Sai Prasad at his house and requested him about his final bill. Sri V. Sai Prasad again demanded the bribe amount of Rs. 6,000/- when Sri V.Malyadri expressed his in ability Sri V. Sai Prasad demanded to pay at least Rs. 3,000/-. As there was no other alternative Sri V.Malyadri agreed to pay the bribe amount. Sri V.Malyadri who was not willing to give the

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demanded bribe amount reported to Anti Corruption Bureau, Nellore to take necessary action against Sri V. Sai Prasad;

4. And whereas, the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore registered a case in Cr. No.2/RCT-NLR/2007 U/s 7 of the Prevention of Corruption Act, 1988 after due verification.

5. And whereas, on 14.2.2007 at about 3-15 P.M. the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore, Inspectors, his staff, and two mediators along with Sri V.Malyadri left Anti Corruption Bureau office, Nellore and reached the office of the Executive Engineer, Irrigation, Kavali at about 4-45 P.M. Sri V.Malyadri approached at 5-05 P.M. in the office room of Sri V. Sai Prasad and requested him and asked him to see that his final bill was sent to Pay and Accounts Office, Nellore for sanction. Then, Sri V. Sai Prasad asked him whether he brought the demanded bribe amount. Sri V.Malyadri replied positively. Then Sri V. Sai Prasad demanded Sri V.Malyadri to give the bribe amount to him. Sri V.Malyadri gave the tainted currency notes to Sri V. Sai Prasad who accepted the same with his right hand and kept in his left shirt pocket. Then Sri V.Malyadri came out of the office building of Sri V. Sai Prasad at about 5-15 P.M. and gave the pre-arranged signal by wiping his face with his dhothi (Pancha). The Deputy Superintendent of Police, Anti Corruption Bureau, Nellore who received the signal rushed into the office room of Sri V. Sai Prasad along with staff and mediators. He asked Sri V.Malyadri to wait outside the office room till he would be called in. The Deputy Superintendent of Police, noticed Sri V. Sai Prasad who was sitting in his chair in his office. The Deputy Superintendent of Police, ascertained the name and address of Sri V. Sai Prasad and the other persons present in the office room of Sri V. Sai Prasad. The Deputy Superintendent of Police, got prepared sodium carbonate solution in two glass tumblers for chemical test to both hand fingers of Sri V. Sai Prasad. The right hand fingers yielded positive result. The Deputy Superintendent of Police asked about the traces of phenolphthalein and narrate the things happened just before their arrival and subsequently on the request of the deputy superintendent of police Sri V. Sai Prasad produced the wad of currency notes which were kept in his wearing shirt pocket. The numerical numbers of the notes were compared with that of the numbers already recorded in pre-trap proceedings and found tallied. The deputy superintendent of police seized the said notes of Rs. 3,000/- and chemical test conducted to the wearing shirt pocket of Sri V. Sai Prasad yielded positive result the deputy superintendent of police seized shirt also Sri V. Sai Prasad was arrested by the deputy superintendent of police.

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6. And whereas the acts of Sri V. Sai Prasad, Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore District constitute an offence punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

7. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri V. Sai Prasad @ Sai Prasad Reddy, Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore District from service, after fully and carefully examining the material placed before them in respect of the aforesaid allegation and having regard to the circumstances of the case considered that the said Sri V Sai Prasad @ Sai Prasad Reddy, Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore District, should be prosecuted in the Court of Law for the above said offences;

8. Now, therefore in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri V. Sai Prasad @ Sai Prasad Reddy, Deputy Executive Engineer, Irrigation Sub-Division, Kavali, Nellore District for the offences punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable for any other provisions of law for the time being in force in respect of the aforesaid acts and also for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER